

18/6472003 MON 14:42 FAX 201 934 8880 ALTEON INC

002/004

Express Mail Label No.: EV328703648US
Date of Deposit: August 7, 2003

Attorney Docket No.: 26448-523 REI

**REISSUE APPLICATION SUPPLEMENTAL DECLARATION BY THE INVENTORS
PURSUANT TO 37 C.F.R. §1.175**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is described and claimed in U.S. Patent No. 5,698,197, granted December 16, 1997 and for which a reissue patent is sought on the invention entitled:

**ADVANCED GLYCOSYLATION ENDPRODUCTS
IN BIOLOGICAL SAMPLES**

the specification of which:

- ☒ was filed on December 16, 1999, as reissue application Serial No. 09/465,444, bearing Attorney Docket No. 26448-523 REI.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. §1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of the patentee claiming less than he had the right to claim in the patent.

At least one error upon which reissue is based is described as follows:

The original claims encompassed less than patentee had a right to claim; and

Applicant did not claim a monoclonal antibody, or an antigen binding fragment thereof reactive with in vivo produced advanced glycosylation endproducts (AGEs), wherein the antibody or fragment is selected such that antigen binding measured by binding competition by 6-aminocaproic acid browned with glucose matches that of a reference binding moiety which is monoclonal antibody 4G9 produced by hybridoma 4G9, deposited with the American Type Culture Collection (ATCC) and assigned Accession Number CRL 11626 or a fragment thereof corresponding to the antigen binding fragment.

Reissue Application Declaration
U.S. Patent No. 5,698,197
Attorney Docket No. 26448-523 REI

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

As a named inventor, I hereby appoint the attorneys and/or agents associated with Mintz Levin Cohn Ferris Glovsky & Popeo, Customer Number

30623

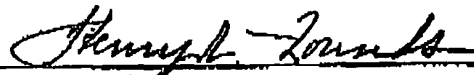
To prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to Ivor R. Elrifi, Esq. at telephone number 617/348-1747.

Address all correspondence to:

30623

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.



Inventor's Signature
Full Name of Inventor: Henry W. Founds
Citizenship: United States
Residence: 30 Wexford Drive, Mendham, NJ 07945
Post Office Address: Same

8/4/03

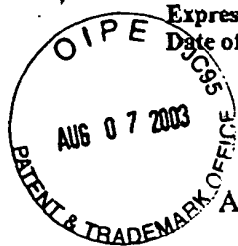
Date

Reissue Application Declaration
U.S. Patent No. 5,698,197
Attorney Docket No. 26448-523 REI

Homayoun Sadeghi
Inventor's Signature
Full Name of Inventor: Homayoun Sadeghi
Citizenship: United States
Residence: ~~118 Krista Court, Chalfont, PA 18913~~
Post Office Address: Same

8/4/03.
Date

320 East Court St.
Doylestown, PA 18901



Express Mail Label No.: EV328703648US

Date of Deposit: August 7, 2003

Attorney Docket No.: 26448-523 RE1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Founds *et al.*

ASSIGNEE : Alteon Inc.

SERIAL NUMBER : 09/465,444

EXAMINER : Patrick J. Nolan

FILING DATE : December 16, 1999

ART UNIT : 1644

FOR : MONOCLONAL ANTIBODY FOR ADVANCED GLYCOSYLATION ENDPRODUCTS
IN BIOLOGICAL SAMPLESCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REVOCATION BY ASSIGNEE AND NEW POWER OF ATTORNEY

Alteon Inc., a company and owner of the above-identified United States patent application Serial No. 09/465,444 filed December 16, 1999, which is a reissue application of Serial No. 08/483,186 filed June 7, 1995, issued on December 16, 1997 as US Patent No. 5,689,197, assignment recorded on August 21, 1995, at Reel/Frame: 7594/0684, hereby revokes any and all former powers of attorney and hereby appoints the attorneys and/or agents associated with Mintz Levin Cohn Ferris Glovsky & Popeo, Customer Number:

30623

as Applicants' attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent application.

Please address all telephone calls to Ivor R. Elrifi at telephone number 617/348-1747. Please address all correspondence to Customer Number:

30623

APPLICATION NO. 09/465,444
APPLICANTS: Founds *et al*

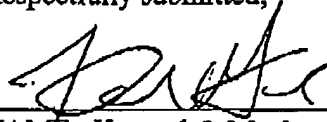
Alteon Inc. certifies under 37 C.F.R. § 3.73(b) that it is the Assignee of the entire right, title and interest in the patent application identified above by virtue of assignments of the patent application identified above.

I, the undersigned, am empowered to act on behalf of the Assignee. Acting on behalf of the Assignee, I have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the Assignee identified above.

I, the undersigned, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the patent.

Please charge any fee or any fee deficiency occasioned by this document to Deposit Account No. 50-0311, Attorney Reference No. 26448-523 REI (Customer Number: 30623).

Respectfully submitted,



NAME: Kenneth I. Moch
TITLE: President and CEO
COMPANY: Alteon Inc.

Date: 7/31/03

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